UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/665,878	09/19/2003	Mikko Sahinoja	KOLS.050PA	6777

7590   05/23/2008

Hollingsworth & Funk, LLC
Suite 125
8009 34th Avenue South
Minneapolis, MN 55425

EXAMINER
CHEA, PHILIP J

ART UNIT	PAPER NUMBER
2153	

MAIL DATE	DELIVERY MODE
05/23/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

PTOL-90A (Rev. 04/07)

	Application No.	Applicant(s)
Office Action Summary	10/665,878	SAHINOJA ET AL.
	Examiner	Art Unit
	PHILIP J. CHEA	2153

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *01 February 2008*.
2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.
3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-12* is/are pending in the application.
    4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5)☐ Claim(s) _____ is/are allowed.
6)☒ Claim(s) *1-12* is/are rejected.
7)☐ Claim(s) _____ is/are objected to.
8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.
10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    a)☐ All   b)☐ Some * c)☐ None of:
      1.☐ Certified copies of the priority documents have been received.
      2.☐ Certified copies of the priority documents have been received in Application No. _____.
      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3)☒ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date *2/1/08*.
4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .
5)☐ Notice of Informal Patent Application
6)☐ Other: _____.

DETAILED ACTION

This Office Action is in response to an Amendment filed February 1, 2008. Claims 1-12 are currently pending. Any rejection not set forth below has been overcome by the current Amendment.

Information Disclosure Statement

1.   The information disclosure statement (IDS) submitted on February 1, 2008 was filed after the mailing date of the Non-Final Action on September 28, 2007. The submission is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

Claim Rejections - 35 USC § 101

2.   35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claim 12 is rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. The Specification suggests that the inventive means can be implemented as software solutions (see specification page 6, lines 21-22). Therefore, the claim can be considered as software per se, which does not fall under one of the four statutory categories.

Claim Rejections - 35 USC § 102

1.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2.   Claims 1,6,7,9,11,12 are rejected under 35 U.S.C. 102(b) as being anticipated by Erlenkoetter et al. (US 6,253,254), herein referred to as Erlenkoetter.

As per claims Erlenkoetter discloses a system of addressing a management object in a device management system, as claimed, comprising:

retrieving a content of a predetermined data element from information in the management object (see column 6, lines 6-11, describing the retrieval of an object attribute (i.e. predetermined data element) from information in the management object),

coding at least part of the content of said data element using a predetermined coding algorithm (see column 5, lines 53-56 and 62-67, describing a coding algorithm using the name of the objects attributes (i.e. data element)),

assigning at least part of the content of said data element, in coded form, as an identifier for the management object (see column 5, lines 62-67, column 6, lines 14-19 and 55, describing how at least part of the content (i.e. object attribute) is assigned as an identifier for the management object in the form of a URL),

using said identifier to address the management object (see column 6, line 51, showing the identifier used to address the management object).

Claim Rejections - 35 USC § 103

3.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4.   Claims 2 and 3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Erlenkoetter as applied to claim 1 above, and further in view of Applicants Admitted Prior Art, herein referred to as AAPA.

As per claim 2, Erlenkoetter discloses adding said identifier as a new entry in management tree maintained in a server device (see column 5, lines 6-9 and 49-56 and column 6, lines 45-64).

Although the system disclosed by Erlenkoetter shows substantial features of the claimed invention (discussed above), it fails to disclose a SyncML device management protocol and adding the identifier in a client device according to the SyncML device management protocol.

Nonetheless, these features are well known in the art and would have been an obvious modification of the system disclosed by Erlenkoetter, as evidenced by AAPA.

In an analogous art, AAPA discloses the well known use of SyncML device management in order to synchronize a server and client device (see AAPA specification page 1, lines 19-23).

Given the teaching of AAPA, a person having ordinary skill in the art would have readily recognized the desirability and advantages of modifying Erlenkoetter by employing the SyncML device management protocol, such as disclosed by AAPA, in order to provide the client device with chances to update data and allow the client device to select items it wants to update (see AAPA specification page 1, lines 29-35).

As per claim 3, Erlenkoetter in view of AAPA further disclose wherein at least part of the content of said data element is coded in the server device using the predetermined coding algorithm (see column 8, lines 43-48), said new entry is added to the management tree in the server device (see column 5, lines 53-57),

the information of at least one management object is sent to the client device (see above discussion regarding AAPA using SyncML to synchronize the server and client device), at least part of the content of the data element included in the received information of the management object is coded in the client device using the same predetermined coding algorithm as in the server device (i.e. the object and attribute values and path are at least partly the same for the server and client once they are synchronized), and

said new entry is added to the management tree of the client device (see AAPA specification page 2, lines 2-7, where after synchronization, the new entry will be added to the management tree of the client device).

5.   Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Erlenkoetter as applied to claim 1 above, and further in view of Rabii et al. (US 2002/0032691), here referred to as Rabii.

        Although the system disclosed by Erlenkoetter shows substantial features of the claimed invention (discussed above), it fails to disclose that the coding algorithm is a hash algorithm.

        Nonetheless, these features are well known in the art and would have been an obvious modification of the system disclosed by Erlenkoetter, as evidenced by Rabii.

        In an analogous art, Rabii discloses a way to rename a hierarchical object identifier such as a URL by hashing the identifier into at least two binary numbers (see paragraph 13).

        Given the teaching of Rabii, a person having ordinary skill in the art would have readily recognized the desirability and advantages of modifying Erlenkoetter by employing a hash algorithm, such as disclosed by Rabii, in order to allow object lookups in a predictable, fixed amount of time.

6.   Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Erlenkoetter as applied to claim 1 above, and further in view of WAP Provisioning Content (submitted with Applicants IDS filed September 19, 2003).

        Although the system disclosed by Erlenkoetter shows substantial features of the claimed invention (discussed above), it fails to disclose adding a management object including WAP protocol provisioning settings for a Bootstrap process.

        Nonetheless, these features are well known in the art and would have been an obvious modification of the system disclosed by Erlenkoetter, as evidenced by WAP Provisioning Content.

        In an analogous art, WAP Provisioning Content discloses provisioning settings for a Bootstrap process (see page 30, 4.6.8 Parameters For BOOTSTRAP characteristics). At the time of the invention, a person having ordinary skill in the art would have recognized that the method of claim 1 could be used to add a management object in any environment that may require easily addressable management objects such as including WAP protocol provisioning settings for a Bootstrap process.

Response to Arguments

7.   Applicant's arguments filed February 1, 2008 have been fully considered but they are not

persuasive.

        A)   Applicant contends that Erlenkoetter does not teach coding at least part of the content of

a predetermined data element of a management object using a predetermined coding algorithm.

                In considering A), the Examiner respectfully disagrees. The claim merely requires coding

at least part of the content of the data element. In this case, the content is considered the name

of the object and the coding algorithm is considered organizing the object into a directed tree with

leaves and nodes (see column 5, lines 52-56) so that the object can be easily retrieved so that

management operations can be performed on the objects (see column 5, lines 48-51). If there

was no predetermined algorithm to code the object into the directed tree, the object would not be

organized as a directed tree. Furthermore, the specification notes that the algorithm can be any

algorithm and that the identifier of the new management object is added to a tree (see

specification paragraphs 26 and 27).

        B)   Applicant contends that Erlenkoetter does not show assigning at least part of the content

of the data element in coded form as an identifier for the management object.

                In considering B), the Examiner respectfully disagrees. Given that Erlenkoetter shows

coding the data element in a directed tree with nodes and leaves to perform management

operations such as getting an attribute or setting an attribute of the data element where the

attributes are leaves of the tree, the Examiner believes that the limitation is met of assigning at

least part of the content (i.e. name of the object) in coded form (i.e. tree structure) as an identifier

of the managed object (i.e. tree allows management operations to be performed on management

object implying that the object is identified).

Conclusion

8.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth

in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from

the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date

of this final action and the advisory action is not mailed until after the end of the THREE-MONTH

shortened statutory period, then the shortened statutory period will expire on the date the advisory action

is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later than SIX

MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should

be directed to PHILIP J. CHEA whose telephone number is (571)272-3951. The examiner can normally

be reached on M-F 6:30-4:00 (1st Friday Off).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor,

Glenn Burgess can be reached on 571-272-3949. The fax phone number for the organization where this

application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application

Information Retrieval (PAIR) system. Status information for published applications may be obtained from

either Private PAIR or Public PAIR. Status information for unpublished applications is available through

Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC)

at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative

or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-

1000.

Philip J Chea
Examiner
Art Unit 2153

PJC 5/13/08

/Krisna Lim/

Primary Examiner, Art Unit 2153